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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,484	06/20/2001	Jan Arwald	205409US2PCT	5895
22850	7590	04/18/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			GREY, CHRISTOPHER P	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/806,484

Applicant(s)

ARWALD ET AL.

Examiner

Christopher P. Grey

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. In response to the amendment filed on Feb 9, 2006, the amendments to claims 1, 7, 13 and 27 have been entered as requested.

New claims 37-40 have been entered as requested.

Claims 30, 33 and 36 have been cancelled as requested

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawyer et al. (US 6058115) in view of St-Pierre et al. (US 5901352), hereinafter referred to as St-Pierre.

Claim 1, 7, 13, 27 Sawyer discloses a central controller configured to establish a communication session between a first object (element 32 in fig 2) and a second object (element 38 in fig 2), where the first object employs a first communication protocol used in establishing a communication session with the central controller (Col 4 lines 10-20), and the first object has a first adapter configured to translate between another communication protocol that is native to the first object and the first communication protocol (Col 4 lines 46-51).

Sawyer discloses the second object having a second adapter, where the second object employs a second communication protocol that is not compatible with another communication protocol (Col 4 lines 10-20).

Sawyer discloses the central controller including a protocol coordination mechanism that compares attributes of different protocols supported by the first adapter and the second adapter when establishing the communication session between the first object and the second object (Col 7 lines 11-15 and element 114 in fig 4).

Sawyer discloses the first object being one of a mobile telephone network, a wire-based telecommunication network, a cable television network, an Ethernet, or an electrical distribution network (Col 3 lines 23-34 and Col 4 lines 10-20).

Sawyer discloses when an exactly overlapping language is not available, the protocol coordination mechanism identifying protocol that are within a vocabulary of the first object and the second object by analyzing which types of communication are allowed in the first object and the second object (Col 7 lines 11-25) and how traffic of the communication session is to be routed through the first object and the second object, and selects a protocol that minimizes a translation burden to a router based on a result of the analyzing (Col 7 lines 16-35).

Sawyer does not specifically disclose the central controller including a database having a list of subscribers with associated calling numbers, where the database hosting information associated with the calling numbers for different objects to the which the subscribers belong (see database Col 4 lines 21-27).

St-Pierre discloses the central controller including a database having a list of subscribers with associated calling numbers, where the database hosting information associated with the calling numbers for different objects to the which the subscribers belong (Col 16 lines 15-44 and Col 11 lines 1-28).

Furthermore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the gateway as disclosed by Sawyer with the subscription and service list/database disclosed by St. Pierre. The motivation for this modification is to provide management of multiple networks and services in a more efficient manner (Col 2 lines 20-23).

Claim 2, 8, 14, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 31, 32, 34, 35 Sawyer discloses a router being included in the central controller, the router (elements 40 and 90 in fig 3) being configured to receive information from the first adapter and to coordinate the communication session between the first object and second object (Col 5 lines 22-41 and Col 7 lines 5-35).

Claim 3, 9 Sawyer discloses a router being included in the central controller, the router configured to provide an interface between the first adapter and the second adapter, wherein;

The central controller is configured to access information in the database regarding services to be invoked when establishing the communication session between the first object and the second object and sending from the router control signals to at least one of the first adapter and the second adapter so as to establish a

protocol to be employed by the first adapter and the second adapter when communicating during the communication session Col 7 lines 11-35.

Claim 4, 10 Sawyer discloses entries in the list of subscribers in the database being changed when the central controller is notified of a subscriber moving from one object affiliation to another (Col 4 lines 10-27 and Col 6 lines 58-64).

Sawyer discloses new information associated with a movement of a subscriber, is used to establish a communication session at a present object associated with the subscriber such that a change in calling numbers by the first object is not required in order to establish the communication session with the subscriber (Col 6 line 58-63 and Col 7 lines 15-25). Sawyer discloses the protocol being reconfigurable where a change in the secondary protocols does not affect the protocol highest on the list, thus there is no need for a change in numbers.

Claim 5, 6, 11, 12, 17 Sawyer does not disclose associating one calling number for a subscriber with a net number and another number at which the subscriber is available.

St-Pierre discloses a number of different numbers being assigned to each subscriber, where the different numbers represent different specifications (net and availability (Col 16 lines 15-44 and Col 11 lines 1-28 Col 8 lines 16-33).

Furthermore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the gateway as disclosed by Sawyer with the subscription and service list/database disclosed by St. Pierre. The motivation for this modification is to provide management of multiple networks and services in a more efficient manner (Col 2 lines 20-23).

Art Unit: 2616

Claim 19 Sawyer does not specifically disclose establishing a profile for a connection for a communication session.

St-Pierre discloses maintaining a subscriber profile (Col 7 lines 66-Col 8 line 14). Furthermore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the gateway as disclosed by Sawyer with the subscription and service list/database disclosed by St. Pierre. The motivation for this modification is to provide management of multiple networks and services in a more efficient manner (Col 2 lines 20-23).

Claim 37, 38, 39 and 40 Sawyer discloses the types of communication including an asynchronous communication, synchronous communication and a predetermined gradations of data rate (Col 3 lines 35-57) and Col 4 lines 21-28).

***Response to Arguments***

3. Applicant's arguments filed on Sept 9, 2006 have been fully considered but they are not persuasive.

(a) The applicant argued that the cited art does not disclose the applicants claimed, "identifying protocols within a vocabulary...by analyzing how traffic of the communication session is to be routed through the first object and the second object...based on the result of analyzing."

The examiner maintains that the same limitation has been addressed within the rejection of claim 1 wherein, Sawyer discloses comparing a protocol list from an originating subscriber and a terminating subscriber to find common acceptable protocols, where these common protocols are equivalent to protocols within a vocabulary of both subscriber units. Furthermore, when a common protocol is determined, Sawyer discloses routing information via this protocol, where priority is used in determining the protocol to be used (Col 7 lines 10-35).

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Melkild (US 6014440) discloses a protocol negotiation between an originating call handler and a terminating call handler.



Art Unit: 2616

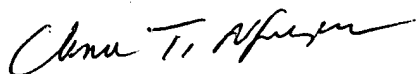
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher P. Grey whose telephone number is (571)272-3160. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571)272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Grey  
Examiner  
Art Unit 2616

C. Grey  
4/13/06



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